

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZACHARY LEWY, JOHN LEE, ERIC KLEMENT, AND
BENJAMIN L. PADNOS, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

v.

SKYPEOPLE FRUIT JUICE, INC., RODMAN &
RENSHAW, LLC, BDO LIMITED, CHILD VAN
WAGONER & BRADSHAW, PLLC, YONGKE XUE,
HONGKE XUE, XIAOQIN YAN, SPRING LIU,
NORMAN KO, GUOLIN WANG, ROBERT B. FIELDS,
AND JOHN SMAGULA,

Defendants.

11 Civ. 2700 (PKC)

**DEFENDANT CHILD VAN WAGONER & BRADSHAW, PLLC'S NOTICE OF
MOTION TO DISMISS CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Anthony J. Costantini dated December 21, 2011, and the documents annexed thereto, and for all the reasons set forth in the accompanying Memorandum of Law, defendant Child Van Wagoner & Bradshaw, PLLC ("CWB") will move this Court, at the Courthouse located at 500 Pearl Street, New York, New York, at a time and place to be set by the Court, pursuant to Fed. R. Civ. P. 12(b)(6), to dismiss Plaintiffs' Consolidated Amended Class Action Complaint for Violations of the Federal Securities Laws, insofar as the claims are made against CWB.

Dated: New York, New York
December 21, 2011

DUANE MORRIS LLP

/s/ Anthony J. Costantini
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